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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC.,
a Delaware corporation,

Plaintiff,

vs.

NOVELL, INC.,
a Delaware corporation,

Defendant.

**EX PARTE MOTION FOR LEAVE
TO FILE OVERLENGTH
OPPOSITION MEMORANDUM**

Civil No.: 2:04CV00139

Judge: Dale A. Kimball

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Plaintiff The SCO Group, Inc. ("SCO") hereby moves the Court pursuant to District Court Rule 7-1(e) for leave to file an over-length Memorandum in Opposition to Defendant Novell, Inc's Motion to Dismiss SCO's Amended Complaint.

Novell's second Motion to Dismiss seeks complete, dispositive relief at the beginning stage of this litigation. Given the importance of the issues to SCO, it is necessary for SCO to fully address, clarify and rebut IBM's arguments and explain to the Court why Novell's second Motion to Dismiss should be denied in its entirety.

To address these issues and place them in context for the Court, SCO respectfully requests leave to file an over-length memorandum. SCO's Opposition Memorandum now contains 40 pages exclusive of face sheet and table of contents. SCO respectfully submits that the excess length is necessary to fully address the issues.

DATED this 1st day of October, 2004.

By:


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